

Exhibit "A"
**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

KYLE BENGSTON,)	
)	
Plaintiff,)	
)	
V.)	3:06-cv-00569-MEF
)	
DAVID BAZEMORE, O.D. et al.,)	
)	
Defendants.)	

**DISCLOSURE OF EXPERT TESTIMONY PURSUANT TO RULE 26(a)2
& DISCLOSURE OF LAY WITNESSES OFFERING OPINION TESTIMONY**

COME NOW, Defendants David Bazemore, O.D. and Wal-Mart Stores, Inc., and disclose the identity of the experts they intend to use to provide testimony pursuant to Rules 702, 703, or 705 of the *Federal Rules of Civil Procedure*, as follows:

Dr. Richard M. Murphy, O.D. Dr. Murphy's expert report is attached hereto as Exhibit "A."

Dr. Brett Basden, O.D. Dr. Basden's expert report is attached hereto as Exhibit "B".

Dr. David Bazemore, O.D., the Defendant in this action.

Pursuant to Rule 701, the Defendants disclose that the following individuals may be called as witnesses and may or may not be qualified as experts, and may offer opinion testimony on the issues of liability and damages:

(A) All healthcare professionals who have treated Kyle Bengston for the injury at issue in this case, including by not limited to all optometrist, ophthalmologists, and primary care physicians. This may include, but is not necessarily limited to, the following healthcare providers: Dr. Reed Cooper, M.D., Dr. Gregory Sepanski, M.D., Dr. Rafael Mollega, O.D., Dr.

Phil Alabata, D.O., The Retina Specialists, Dr. Darryl Willis, M.D., Dr. Anz, M.D., Defendants, and any health care provider treating Kyle Bengtson.

(B) Individuals having knowledge of Kyle Bengtson's vision loss and other damages and may offer opinion testimony as to damages.

(C) Any expert identified by the Plaintiff.

(D) Any healthcare professional identified in the discovery process.

(E) Any witness identified by the Plaintiff as someone who will give opinion testimony.

Submitted this 7th day of May, 2007.

ATTORNEY FOR DEFENDANT
DAVID BAZEMORE, O.D.



BLAKE L. OLIVER (OLI020)

OF COUNSEL:

ADAMS, UMBACH, DAVIDSON & WHITE, L.L.P
P.O. Box 2069
Opelika, AL 36803-2069

CERTIFICATE OF SERVICE

I hereby certify that on May 7, 2007, I have served a copy of the above and foregoing on counsel for all parties by:

- X Facsimile transmission;
- Hand delivery;
- X Placing a copy of same in the United States Mail, properly addressed and first class postage prepaid to:

**Mr. David Adams, Esq.
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ADAMS, UMBACH, DAVIDSON & WHITE



Blake L. Oliver